UNITED STATES DISTRICT COURT

for the

Western District of Washington

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

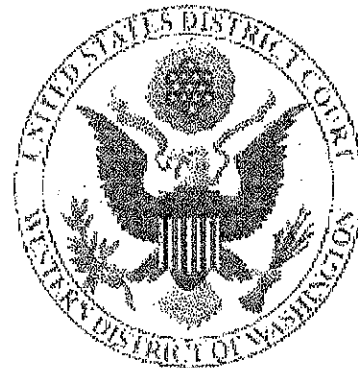
To: Matthew K. Duran

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: United States Courthouse 700 Stewart Street Third Floor, Room 3210 Seattle, Washington 98101	Date and Time: August 30, 2012, 1:00 p.m.

You must also bring with you the following documents, electronically stored information, or objects *(blank if not applicable)*:

Date: August 7, 2012

CLERK OF COURT

Issued in blank

William M. McCool

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

MICHAEL DION, AUSA
U.S. Attorney's Office
700 Stewart Street, Suite 5220
Seattle, WA 98101-1271
Phone:206-553-7970
Fax: 206-553-0755

GJ 12-1
USAO# 2012R00713
SN 16430

INFORMATION FOR GRAND JURY WITNESSES

This form, which accompanies a Grand Jury subpoena, is to provide witnesses with some background information concerning their appearances before a Grand Jury.

A Grand Jury consists of from 16 to 23 citizens who serve for a period of up to 18 months. Members are selected at random from the list of prospective jurors from which trial jurors are also chosen. The Grand Jury inquires into possible violations of Federal law which may have been committed in the Western District of Washington. The law provides that the proceedings before a Grand Jury be conducted in secret. The only persons who may be present while testimony is being given are members of the Grand Jury, attorneys for the Government, the testifying witness, an interpreter, when needed, and a court reporter to record the testimony.

You have been asked to appear because you may have some information or knowledge about a matter under consideration by the Grand Jury. For instance, you may have been a witness to a crime, or heard something about a crime, or have witnessed some event, or possess some information concerning a crime, though you might not recognize it as such.

As a Grand Jury witness, you will be asked to testify and answer questions concerning information you might have about matters under consideration by the Grand Jury. The public, through the Grand Jury, has a right to every person's evidence and information, except where the privilege against self-incrimination would apply.

During a witness' appearance before the Grand Jury, the witness is required to answer all questions asked, except to the extent that a truthful answer to a question would tend to incriminate the witness. A knowingly false answer to any question could be the basis for a prosecution of the witness for perjury. Anything that a Grand Jury witness says which tends to incriminate him or her may be used against him or her by the Grand Jury, or later used against him or her in court. A witness may consult with an attorney before testifying, and a witness may have an attorney outside the Grand Jury room. If it is desired, the witness will be afforded reasonable opportunity to step outside the Grand Jury room to consult with the attorney before answering any questions. The mere fact that this information accompanies your subpoena should not be taken as any indication or suggestion that you are under investigation or are likely to be charged with a crime.

Every Grand Jury witness is entitled to a witness fee in the amount of $40.00 per day, mileage, and a subsistence allowance, when necessary, such as for overnight lodging. The United States Federal Courthouse is located at 7th and Stewart Street in the City of Seattle. Parking is a problem in this area. There is no Government provided parking. **PLEASE BE SURE TO PARK IN A LOT WHERE YOU RECEIVE A RECEIPT FOR PARKING FEES PAID**, so that you can be reimbursed for this expense. Also, please plan to arrive sufficiently in advance of the time set for your scheduled appearance. If you have any questions, you may contact the United States Attorney's Office at 206/553-7970. For out-of-town residents, the toll-free number is **1-800-797-6722**.

US DEPARTMENT OF JUSTICE
INSTRUCTIONS FOR FACT WITNESSES APPEARING ON BEHALF OF THE UNITED STATES GOVERNMENT (Not Applicable to Federal Employees)

READ THE INFORMATION CONTAINED ON THIS FORM BEFORE YOUR COURT APPEARANCE. PLEASE CALL THE INDIVIDUAL(S) LISTED BELOW FOR INFORMATION REGARDING TRAVEL ARRANGEMENTS AND SPECIFIC ENTITLEMENTS. *IF YOU HAVE A MEDICAL CONDITION OR FAMILY SITUATION THAT REQUIRES SPECIAL CONSIDERATION, PLEASE ADVISE THE INDIVIDUAL LISTED BELOW AS SOON AS POSSIBLE.*

CONTACT PERSON(S): Kiyomi Mathews TELEPHONE NUMBER: 206-553-4228; 1-800-797-6722-Toll Free

≈ VERIFY YOUR ATTENDANCE ≈

On the last business day BEFORE you travel to court, call the above number to verify that your attendance is required. This may prevent a wasted trip in the event the trial date is changed.

≈ APPEARANCE IN ANOTHER CITY ≈

If you are required to travel to another city to appear in court, immediately contact the individual listed above and request instructions.

≈ REIMBURSEMENT OF EXPENSES AND ATTENDANCE FEES ≈

A. **ATTENDANCE FEE:** You will be paid a fee of $40 per day, including travel days.

B. **TRANSPORTATION:** Call the individual listed above to obtain information on pre-paid transportation through the government travel agency, Carlson Wagonlit Travel SATO (CWT SATO). Travel arrangements made on your own are **reimbursed** by the least expensive method reasonably available to you. The following rules apply to transportation expenses:

1. **Local Travel:** The recommended method of travel in the local area of court is transit bus/Airporter shuttle bus. Only travel to/ from the airport, hotel or courthouse for interview or testimony purposes is reimbursable. All incidental or personal travel as for meals, shopping, etc., is **not** reimbursable. **Rental cars are not a reimbursable option.**

2. **Privately Owned Vehicles (POV):** You will be reimbursed the following amounts*:

   Motorcycle .525 per mile Automobile .55 per mile Airplane $1.31 per mile **Effective 4-17-12**

   In addition to the above mileage allowance, necessary **tolls**, **parking** and other fees may be reimbursed. You must keep a record of your odometer readings.

   Also, if you travel by motorcycle or automobile, or if two or more witnesses travel in the same vehicle, only one reimbursement for mileage can be made.

   ***IF POV EXPENSES, INCLUDING MILEAGE, TOLLS, PARKING AND OTHER ASSOCIATED COSTS, ARE GREATER THAN COACH CLASS AIRFARE, YOU WILL BE RESPONSIBLE FOR THE DIFFERENCE.**

3. **Common Carrier:** If you are located outside the local court area, **CALL THE INDIVIDUAL LISTED ABOVE FOR INSTRUCTIONS or with any questions.** CWT SATO will arrange your travel itinerary, with the government paying the cost of air or train travel, plus your hotel lodgings. If you choose to make your own travel arrangements, you will have to submit receipts and **wait for reimbursement**. Train, bus or airfare will be reimbursed at COACH or other Non-PREMIUM rate. Reimbursement **WILL NOT** be made for First Class accommodations, "Frequent Flyer" tickets, charter service or rental cars or rental car expenses such as parking. **DO NOT** purchase non-refundable tickets. If your appearance date changes or is cancelled you **WILL NOT** be reimbursed for non-refundable tickets. **DO NOT** make any changes yourself to CWT SATO issued plane/train tickets; CWT SATO needs to handle them, otherwise you are responsible for any additional costs incurred.

C. **MEALS**: If it is necessary for you to remain away from home **overnight**, you will receive the following daily meal allowance **reimbursement**:

   $35.50 for each travel day and $71.00 for each full day at court - **Seattle Federal District Courthouse**

   $30.50 for each travel day and $61.00 for each full day at court - **Tacoma Federal District Courthouse**

D. **LODGING**: If it is necessary for you to remain away from home overnight, you are entitled to lodgings at the government rate as determined by season and city. All incidental charges beyond the room itself are at your personal expense; this includes a room cleaning fee if you smoke in a non-smoking room, phone calls, parking, honor bar, internet, movies, travel companions, room service. Advise CWT SATO or your contact person if you smoke.

You will need a credit card or cash deposit at hotel check-in to cover any incidentals, plus the cost of meals. Please advise your contact person ASAP if this is an issue.

≈ YOU MUST RETAIN RECEIPTS and RETURN THEM WITHIN 2 WEEKS≈

ALL CLAIMS FOR PARKING MUST BE SUPPORTED BY A RECEIPT. OTHER EXPENSES EQUAL TO $25 OR MORE MUST BE SUPPORTED BY A RECEIPT, WITH THE EXCEPTION OF MEALS AND MILEAGE. PARKING TICKETS ARE NOT A REIMBUSMABLE EXPENSE.

≈ DISMISSAL ≈

When you are advised that your attendance is no longer required, you should request information regarding the payment of the fees and allowances outlined above. The individual requiring your attendance will provide you with a Fact Witness Voucher. You will be required to list your expenses on this Voucher. The Voucher will be submitted to the U.S. Marshals Service for payment. The U.S. Marshals Service will process the voucher and **MAIL** the payment to you, which may take up to **6+** weeks. If you require funds to return home, you must bring this fact immediately to the attention of the individual requiring your attendance, who will notify the U.S. Marshals Service.